

Colusa Subreach Planning Project Advisory Workgroup

Draft Meeting Summary

April 4, 2005 – Colusa County Farm Bureau

Summary prepared by Carolyn Penny, Facilitator, Common Ground: Center for Cooperative Solutions with assistance from Ellen Gentry, Sacramento River Conservation Area Forum

Present:

AW: Annalena Bronson, Burt Bundy, Denny Bungarz, Ben Carter, Gary Evans, Michael Fehling, Rebecca Fris, Armand Gonzales, Francis Hickel, Pat Kittle, Ray Krause, Kelly Moroney, Dan Obermeyer, Jeff Sutton, Jon Wrysinski, and Dawit Zeleke.

Alternates: Woody Elliott (Alternate for Mike Fehling), Joan Phillipe (Alternate for John Rogers), and Brendan Reed (Alternate for Rebecca Fris).

Staff: Facilitator Carolyn Penny, Project Manager Gregg Werner, Ellen Gentry (SRCAF)

Guests: Beverly Anderson-Abbs, Michelle Baker, Kim Davis, Greg Golet, and Mike Roberts.

Agenda as Proposed:

<u>Agenda Item</u>	<u>Approximate Start Time</u>	<u>Lead Person</u>	<u>Topic</u>	<u>Outcome</u>
1.	10:00	Carolyn Penny, Facilitator	Welcome, Introductions, March Meeting Summary	<ul style="list-style-type: none"> • Introductions. Approve agenda. Approve March summary.
2.	10:10	Gregg Werner, All	Review of Landowner Concerns and Responses	<ul style="list-style-type: none"> • Review concerns/responses.
3.	10:50	All	AW-Identified Studies	<ul style="list-style-type: none"> • Review budget and upcoming schedule. Review and refine list of possible discretionary projects. Develop criteria to prioritize discretionary projects.
4.	11:45	Public	Public Comment	<ul style="list-style-type: none"> • Receive comment from the public.
5.	12:00	All	Lunch and Break	
6.	12:30	All	AW-Identified Studies, Continued	<ul style="list-style-type: none"> • Prioritize list of possible discretionary projects. Determine process for development of projects.
7.	1:00	Gregg Werner, All	Subreach Background Report	<ul style="list-style-type: none"> • Resolve subreach

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				background report composition. Determine information to be added to the draft report.
8.	1:20	All	Review AW ground rules	<ul style="list-style-type: none">Review and confirm AW ground rules.
9.	1:45	Carolyn Penny, All	May Meeting, Next Agenda, and Next Steps	<ul style="list-style-type: none">Discuss logistics for May meeting; shape next agenda; articulate interim steps.
10.	2:00	Carolyn Penny	Adjourn	

Review of March Meeting Notes

Jeff had a change to description of his comments on page 3 of the March summary. He handed his written changes to Carolyn for incorporation into the final March summary. Rebecca had a change on Landowner Assurances Committee paragraph, page 3, which she will give at a later time. She also had a change in her response on page 5; to "...CALFED projects are interested in multi purpose, with no limitation on planning as long as restoration goals are met." The revised March summary will be redistributed to the group in "Track Changes" mode.

Francis reported not receiving his hard-mail packet. Ellen will check with him on his mailing address.

Review of Landowner Concerns and Responses

Gregg gave a review of the handout, "Landowner Concerns and Draft Responses 4/4/05." Shaded components were those that could be included as part of CSP if determined to be a priority landowner concern by the Advisory Workgroup. He noted that there was not time or funding to each of the shaded components so that prioritization would be important. Categories included: Landowner Concerns, How Can It Be Addressed, Where Can It Be Addressed, and What Public Agencies are Involved or Exercise Jurisdiction. Landowner concerns were organized into three areas: Flood Management Concerns, Local Area and Neighboring Property.

Flood Level and Levee Seepage:

The group discussed criteria for permits from the Reclamation Board. Burt explained that, typically, the applicant gets an engineering assessment. Jeff mentioned an example where Levee District 3 had concerns but no funding for an expert. When assessing the impact of habitat on the flood control system and required maintenance, representatives from TNC mentioned that they look at full grow-out potential. Burt and Kelly clarified that DFG is required to get a permit from the Reclamation Board. USFWS, on the other hand, submits its plans to the Reclamation Board but is not required to get a permit.

Large Woody Debris:

Regarding large woody debris (LWD), the AW discussed whether mitigation could be tied in to remove snags. The group concluded that many agencies are involved in LWD issues adding to their complexity.

However, in spite of that complexity, the group agreed LWD is an area where it needs to look for gains to take back to the local community. The group also agreed that there's a need to get through the complex regulatory process, perhaps by a coordinated permitting process, to do routine maintenance.

Discussion continued regarding basic analysis, design capacity, cause and effect of restoration, channel capacity, climate change, potential restoration, and levee maintenance. Denny Bungarz, Chair of the Public Use Committee, briefly discussed work being done on permitting throughout the area. The AW reflected on the need for solid technical foundations, coordinating standards as part of the basic process, the opportunity to accomplish an incidental take agreement for VELB, the programmatic Safe Harbor agreement, and "growing the baseline" or addressing what we can fix. The public monitoring process is an area Beverley Anderson-Abbs is currently working on through Project Tracker, and can be considered for future projects.

Build-up of Sediment and Reduced Capacity:

Regarding issues about sediment and reduced capacity, the group entered into a discussion of the items included in hydraulic analysis. The group recognized that information on sediment and capacity should be included in any project. The group also recognized that there's a need to look at capacity issues historically as well as into the future to learn from river dynamics in the past.

The group raised the question of whether lack of long-term maintenance of the flood control system is the cause of any reduced capacity, not habitat restoration. Annalena mentioned that DWR is doing some work to look at this issue. Ben mentioned that this stretch of the river is a system that is not well understood and that there's a need to know more about where the silt is coming from and how it interacts with LWD.

A hydraulic analysis subcommittee was formed (Dawit Zeleke, Francis Hickel, Jeff Sutton, Jon Wrysinski and Annalena Bronson.) The tasks for the subcommittee were further described in Next Steps, below.

Levee Repair/Maintenance Limitations/Valley Elderberry Longhorn Beetle (VELB) Incidental Take Permit:

The group raised the question of whether take could be permitted for landowners adjoining habitat restoration sites as well. Ben mentioned the need to examine species issues beyond VELB, specifically for fish. This potential study would be for inventorying elderberry bushes, not a big cost item. Rebecca mentioned that Calfed has before it a proposed project regarding elderberry inventory. The 30 day comment period will begin April 8 for the PSP Monitoring Projects. The approved Calfed projects are expected to be before the authorities in June. Jeff mentioned that an incidental take permit arrangement for adjoining landowners would be meaningful to local landowners.

Mosquito Habitat/West Nile Virus:

The group agreed that this issue will continue to be important and there are many people already working on it. After learning that mosquito control is allowed to spray on TNC and State lands, the group agreed that coordination with the Colusa County Mosquito Abatement District and implementation of best management practices would be helpful.

Fiscal Impact on Local Agencies:

Members of the AW recognize this issue as a political issue and that part of the problem is the legislature's failure to approve funds for Payment in Lieu of Taxes (PILT.) Ben asked what the fiscal impact would be if we assumed 100 acres was taken out of walnut production. Dawit responded that it is hard to quantify what people do with investment of funds when land taken out of ag system. Denny Bungarz reported the BDPAC/CALFED meeting is scheduled for April 14. PILT and Hamilton City are included on the agenda. The group agreed that it is important to look at fiscal impacts on smaller districts such as levee, mosquito abatement, and school districts.

Public Access and Recreation:

In regard to this topic, the group restated its desire to look at the subreach as a whole.

Self-Mitigating Area Concept and Dispute Resolution Process:

Gregg suggested that the term "growing the baseline" resonates with agencies instead of the term "self-mitigation." While the AW agreed that these topics are beyond the scope of the AW, they do connect to many of the subreach issues on the table. The group agreed that it may make statements/suggestions/recommendations on these topics to agencies or the SRCAF.

Endangered Species Limitations and Incidental Take:

Recognizing the AW had touched on this topic earlier in the conversation, Ben reiterated that aquatic and terrestrial species need to be considered. He also mentioned that fish issues are particularly complex.

Crop Depredation:

Some of the AW local representatives noted a sense that private citizens are held to a higher level of reimbursement responsibility when crop depredation occurs. The issue needs a funding mechanism and efforts to set up a funding mechanism in other situations have not been successful, Jeff noted. The group agreed that pest species for any analysis need to include invasive plants.

Public Comment

Kim Davis, Senator Aanestad's Office, recommended looking at cumulative impacts regarding flood control within the larger SRCAF area, encompassing projects as a whole for impact. She indicated the Corps of Engineers has identified 17-19 weak spots in the SRCAF area, including 10 in the Colusa area, that need to be addressed. Regarding mosquito abatement and West Nile virus, this year is going to be the worst with a peak in deaths predicted. However, there will be a substantial drop after this year and a leveling out is expected.

Lunch Break

AW Identified Studies Budget

Gregg distributed copies of the three year CSP Budget, totaling \$1,488,009 as amended February 17, 2005. \$100,000 is discretionary for Focal Area Planning contracts consistent with grant purposes, and \$238,000 is discretionary for Landowner Questions contracts consistent with grant purposes.

There are concerns about the limited amount of discretionary funding with the size of this budget and a lack of funding truly to address landowner concerns. AW members also requested that any modeling be ground-truthed and robust enough to handle proposed changes.

It was requested that Gregg provide additional budget detail regarding funding within the various tasks, indicating the costs for the baseline information, and the upcoming CALFED quarterly report. Gregg will also meet with Gary regarding baseline information.

AW Identified Studies Priorities

The definition of Peer Review was discussed; having an additional expert looking at hydrology and providing input to see if a project is developed and technically correct. Burt recommended having someone who has done similar work provide a professional opinion on what studies need to be done (i.e., Fran Borcali, who is involved with the Princeton-Cordura-Glenn Irrigation District).

The group reviewed the numbered list of possible studies from Gregg's handout and prior meeting notes to determine Gregg's list was comprehensive. Numbers in the notes below are taken from that list:

1. Large Woody Debris
 - Sources, movement, impacts, history, regulation limits, options
2. Sediment/reduced capacity in channel
 - Past records analysis – compare to current
3. VELB incidental take agreement
4. Fiscal impact on local agencies/districts
5. Fiscal impact on local economy
6. Public access and facilities subreach plan
7. Recreation/Restoration plan for Ward tract
8. Endangered species limitations on agriculture in subreach
9. VELB incidental take agreement regarding restoration plans
10. Crop impacts of animal/plant pest species from habitat and solutions
11. Property trespass and vandalism (part of #6?)

The group discussed whether items on the list cluster and also what priorities it would assign.

The AW reached consensus on the criteria for priorities. The criteria for determining priorities are:

1. Technical information is vital/required.
2. Information is not otherwise being gathered.
3. Study ties to larger community concerns.
4. Benefit to cost ratio high
5. Whether results are highly dependent on agency/others actions.
6. Whether the results can encourage creative solutions.

Dan Obermeyer suggested the following priorities for the funding of studies through the AW-identified studies:

First priority - “Large woody debris” and “Build-up of sediment and reduced channel capacity” (collapsing #1 and #2, above). The group reached consensus that these two components are a top priority.

Second priority - “VELB Incidental Take Permit” (#3 and #9), “Endangered species limitations” (#8), and “Crop impacts of animal/plant pest species” (#10).

Third priority: “Public access and recreation” (#6), “recreation/restoration plan for the Ward tract (#7), and “Property trespass and vandalism” (#11.)

Fourth priority - “Fiscal impact on local agencies” (#4) and “Fiscal impact on local economy” (#5.) Denny added that PILT (component 4) is being addressed, but collapsing components 4 and 5 is better financially.

Kelly Moroney recommended moving crop impact (#10) to fiscal impacts (Dan’s fourth priority) because it did not relate to endangered species

Flood control was the priority issue for Jeff and Ben.

Jeff suggested fiscal impacts (combined components #4 and #5) as the #2 priority.

Ben stated that, while #1 and #2 above clearly emerged as the top priority at the public meeting, it was not possible to distinguish priorities for the community in terms of the other clusters - public access, fiscal impact, or endangered species.

Mike Roberts noted that components may need to be separated when scoping and awarding contracts because they would involve different disciplines and separate contracts.

Subreach Background Report

Rebecca was amenable to calling the Background Report a “Draft” and asking for an extension from the March 15 date. Jeff has a list of suggested changes which he will email to Gregg. Gregg will review, set up a meeting with Jeff without taking time away from the group and report to the group next meeting.

Review AW Ground Rules

A handout was delivered with proposed changes (in red). Denny suggested a wording change from “approve” to “recommend” because this is an advisory group. A discussion regarding this question followed and Dawit clarified that the correct term was “recommend.” It was also suggested that “Any and all” be changed to “all” in the first instance; and changed to “any” in the second instance. With these changes, the AW agreed to amend its ground rules.

Next Steps

- Hydraulic Analysis Subcommittee
 - Members: Dawit, Francis, Jeff, Jon, Annalena
 - Process:
 - Consider consultation with qualified expert on scope

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- Review sample reports/budgets
- Timeline: Review sample hydraulic analysis reports and budgets from TNC by May meeting; meet after May
- Burt and Ellen check into better ways to get hard copies of material to Francis
- Gregg will distribute CSP budget numbers and Calfed report to AW 1-2 weeks before May meeting
- Gregg will create a paragraph on potential studies arising from the AW clustered areas (see above) including the scope and a cost range. Under the first cluster area, he'll include modeling of the river meander. In order to create this material, Gregg will consult with AW members as necessary. He'll distribute materials with agenda for May meeting.
- Jeff will send subreach background report material to Gregg 4/4. Gregg and Jeff will meet to discuss time/process for the subreach background report. Completion of the report is expected in May.

May Agenda – May 2; 5-9pm – NOTE New Time

- Detailed budget review for CSP
- Priorities and process for AW – Identified studies
- Update subreach background report